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Attorneys for Plaintiff ROGER WORKING

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

19	ROGER WORKING,)	Case No. C05-01398 JSW
20)	HON. JEFFREY S. WHITE
21	Plaintiff,)	
22	vs.)	STIPULATION AND PROPOSED
)	ORDER FOR CONTINUANCE OF
)	SETTLEMENT CONFERENCE
23	BLACK & DECKER (U.S.) INC.;)	COMPLETION DATE
24	PORTER-CABLE CORPORATION;)	
25	and PENTAIR TOOL AND)	SETTLEMENT CONF. DATE: 11/3/05
26	EQUIPMENT SALES CO.,)	COMPLETION DATE: 11/7/05
27	Defendants.)	

**STIPULATION AND ~~PROPOSED~~ ORDER FOR CONTINUANCE OF SETTLEMENT
CONFERENCE COMPLETION DATE**

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1 Plaintiff Roger Working ("Plaintiff") and Defendants Black & Decker (U.S.)
2 Inc. and Porter-Cable Corporation ("collectively Defendants") jointly submit this
3 Stipulation and [Proposed] Order For a Continuance of Settlement Conference
4 Completion Date. The parties, by and through the undersigned stipulate to the
5 following:

6 1. The settlement conference was previously set for November 3, 2005, and
7 the settlement conference completion date was previously set for November 7, 2005.

8 2. Counsel for defendants confirmed the date with defendants.

9 3. The defendants' representative, Claude Kelly, recently attempted to
10 schedule his travel from Tennessee to San Francisco for the conference and back
11 again. Mr. Kelly learned that he could not make his travel arrangements back to
12 Tennessee in time to board his flight to the Caribbean on November 4, 2005, for his
13 preplanned vacation. He could not change his vacation flight plans for a later
14 departure.

15 4. Although counsel for defendants has been registered for electronic court
16 filings since approximately mid-May 2005, counsel for defendants has not received
17 any electronic notices from the Court. Consequently, counsel for defendants did not
18 receive the Court's Order Scheduling Trial and Pretrial Matters (signed August 8,
19 2005), or the Clerk's Notice of Settlement Conference, including Magistrate Judge
20 Wayne D. Brazil's Settlement Conference Standing Order (signed September 15,
21 2003), until it was downloaded from PACER today. As a result, defendants did not
22 have notice of the requirements in those documents, including rules for submission of
23 settlement conference statements. Defendants' counsel has contacted the ECF help
24 desk for assistance.

25 5. Defendants' counsel has informed the Magistrate's clerk and the
26 Magistrate Judge is holding December 5, 2005, at 2:00 p.m., for a rescheduled
27 settlement conference, which date is available for all parties and counsel.
28

6. The parties request that the settlement conference completion date be extended beyond December 5, 2005, so that the parties may reschedule the settlement conference.

Dated: October 25, 2005

WINSTON & STRAWN LLP
LEE T. PATERSON
AMANDA C. SOMMERFELD
NICOLE M. DENOW

By: 
Amanda C. Sommerfeld

Attorneys for Defendants
BLACK & DECKER (U.S.) INC. and
PORTER-CABLE CORPORATION

Dated: October 25, 2005

LAW OFFICES OF LUCIUS A. COOPER
BETH W. MORA

By: _____
Beth W. Mora

Attorneys for Plaintiff
ROGER WORKING

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the settlement conference completion date shall be continued to December __, 2005.

Dated: _____

The Honorable Jeffrey S. White
United States District Court Judge

1 6. The parties request that the settlement conference completion date be
2 extended beyond December 5, 2005, so that the parties may reschedule the settlement
3 conference.

4
5 Dated: October __, 2005

WINSTON & STRAWN LLP
LEE T. PATERSON
AMANDA C. SOMMERFELD
NICOLE M. DENOW

8
9 By: Amanda C. Sommerfeld

10 Attorneys for Defendants
11 BLACK & DECKER (U.S.) INC. and
PORTER-CABLE CORPORATION

12 Dated: October 25, 2005

LAW OFFICES OF LUCIUS A. COOPER
BETH W. MORA

14
15 By: Beth W. Mora
Beth W. Mora

16 Attorneys for Plaintiff
17 ROGER WORKING

18 **ORDER**

19
20 PURSUANT TO STIPULATION, IT IS SO ORDERED that the settlement
21 conference completion date shall be continued to December 6, 2005. The Court
22 FURTHER ORDERS that the Case Management Conference is CONTINUED from
December 2, 2005 to December 16, 2005 at 1:30 p.m.

23 Dated: October 26, 2005

24 Jeffrey S. White
The Honorable Jeffrey S. White
United States District Court Judge